

AGENDA ITEM #7

July 12, 2002

To: Delta Protection Commission

From: Karen Morais, Delta Protection Commission Staff

Subject: Legislation Update
(For Commission Information)

The Commission has been tracking 33 bills of interest to the Delta Protection Commission. As of this date, 15 bills are still active and 19 measures have been held in committee or dropped by the author. Attached is a brief description and current status of each bill.

The Legislative final recess will begin August 31, 2002. The Governor's last day to act on bills before him is September 30, 2002; this date is set in the California Constitution and is not subject to change (CA Constitution, Article IV. Section 10).

The DPC Legislative Committee will meet July 23, to consider comments on pending legislation that would affect the Primary Zone of the Delta. Recommendations will be presented at the Commission meeting (Item 11) by the Legislation Committee. Only legislation on the monitoring list will be considered for comments.

Active Bills

15 bills in folder.

AB 52 (2001-2002) , Wiggins and Matthews: SEN APPROPRIATIONS (Version (amended sen) 2002-06-20)

Topic: Agricultural land preservation: appropriation.

Last Action: From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 5. Noes 1.). (2002-06-26)

Scheduled Hearing Date: 2002-08-05 (SEN APPROPRIATIONS)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

States legislative intent to encourage farmers to use the federally available funds to promote and improve conservation practices; it would also establish a grant program to administer Proposition 40 grant funds and set a minimum criteria for applicants of the Proposition 40 funds. The bill would appropriate \$75,000,000 from the bond act for specified Ag. land preservation programs, including the grant program created by this bill and the CA Environmental Quality Improvement Revolving Loan Program established pursuant to this bill. The bill would take effect immediately. Passed: Assembly 53-15, 1/29/02; Senate Ag. & Water Com. 5-1, 6/25. Support: American Farmland Trust. No opposition on file.

Digest Summary: This bill would establish the Agricultural Protection Planning Grant Program within the Department of Conservation, to provide planning grants to improve the protection of agricultural lands and grazing lands, including oak woodlands and grasslands.

AB 680 (2001-2002) , Steinberg: SEN LOCAL GOVERNMENT (Version (amended sen) 2002-06-17)

Topic: Land use: sales and use tax and property tax revenue allocation.

Last Action: In committee: Hearing postponed by committee. (2002-07-02)

Scheduled Hearing Date: 2002-08-07 (SEN LOCAL GOVERNMENT)

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Notes: **Bill_Folder**

This bill has a significant number of proponents and opponents, primarily CA cities and counties on both sides of the arguments. According to the Senate Local Government Committee, "the fast growing cities with newer public works and residents with few needs for public services pile up budget reserves. Older suburbs and cities with aging infrastructure and more dependent populations struggle to pay their bills. By sharing sales tax revenues at a regional scale, AB 680 balances these competing forces. By dampening the temptation posed by sales taxes, the bill influences local officials' land use decisions." Partial support within the Delta area: Cities of Galt and Sacramento and the County of Sacramento. Partial Opposition within the Delta area: Cities of Antioch, Elk Grove, Pittsburg and West Sacramento. The bill is set for Senate Local Gov't Com. 8/7/02.

Digest Summary: The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes a county to impose a local sales and use tax at a rate of 1.25%, and similarly authorizes a city, located within a county imposing such a tax rate, to impose a local sales tax rate of 1% that is credited against the county rate.

This bill would, pursuant to specified definitions and procedures, require the board to distribute sales tax revenue, derived from the application of a 1% tax rate in the greater Sacramento region, to taxing counties and cities in that

region on the basis of (1) the amount of sales tax revenue that those counties and cities received in the 2002 calendar year, and (2) the relative populations of those counties and cities, as determined by the board and the population research unit of the Department of Finance.

AB 1882 (2001-2002) , Canciamilla: SEN ENVIRONMENTAL QUALITY (Version (amended asm) 2002-04-25)

Topic: Environmental quality: in-fill development: County of Contra Costa.

Last Action: In committee: Set, first hearing. Hearing canceled at the request of author. (2002-06-19)

Folder(s): Bill_Folder

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Sponsored by Contra Costa County. Passed Assembly Floor 52/2, 5/23/02. Support: CA Assoc of Realtors; CA Building Industry Association. Estimated one time G.F. costs of \$50,000. Opposed: CA League of Conservation Voters; CA Pipe Trades Council; Planning & Conservantion League; and C.C.County Bldg & Const Trades Council.

Digest Summary:(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would codify the provisions of those regulations, and would expand the exemption to include *any in-fill development project in an unincorporated area, if, among other criteria, the project is an affordable single-family development, an affordable multiunit housing development, a mixed-use housing development that meets specified criteria, or a park, and if the project is located within the County of Contra Costa, and the environmental impact report on the applicable general plans was certified within 5 years of the completion of the project application.*

AB 1997 (2001-2002) , Thomson: SEN (Version (amended sen) 2002-06-25)

Topic: Land conservation.

Last Action: Read second time and amended. Ordered to third reading. (2002-06-25)

Scheduled File: ASSEMBLY BILLS-THIRD READING FILE (Item # 126)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Passed Assembly Floor 49-24, 5/20/02; Senate Local Gov't 4-0, 6/19/02. Support: American Farmland Trust.

Digest Summary:The existing Subdivision Map Act requires the legislative body of a city or county to deny, except under specified circumstances, approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land.

This bill would also apply these provisions to land that is subject to an open-space easement, agricultural conservation easement, or conservation easement, but would make these provisions inapplicable during the 3-year period preceding the termination of these contracts or easements.

AB 2322 (2001-2002) , Hertzberg: SEN APPROPRIATIONS (Version (amended sen) 2002-06-13)

Topic: CALFED Bay-Delta Program.

Last Action: In committee: Hearing postponed by committee. (2002-07-01)

Folder(s): Bill_Folder

Note
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Passed Assbemly Floor 47-25, 5/9/02; Senate Ag. & Water 7-1, 6/18/02. Minor,

absorbable costs to the CALFED program to prepare the report. Author believes this bill will make it easier for the Legislature to evaluate the progress of implementation of the August 2000 ROD.

Digest Summary: Existing law requires the Department of Water Resources, with specified exceptions, to prepare, and submit to the Legislature, commencing on January 1, 2003, and annually thereafter, a report that includes a description of the progress achieved by the department regarding the goals of the CALFED Bay-Delta Program, and the implementation schedule set forth in the CALFED Bay-Delta Program, Programmatic Record of Decision dated August 2000, and the Framework Agreement dated June 9, 2000.

This bill would require the Director of the CALFED Bay-Delta Program, on or before May 1, 2003, to prepare and submit to the Legislature a report that describes the progress made in implementing the actions described in the CALFED Bay-Delta Programmatic Record of Decision, dated August 2000.

AB 2362 (2001-2002) , Canciamilla: SEN APPROPRIATIONS (Version (amended asm) 2002-04-29)

Topic: Vessels: sanitation devices.

Last Action: From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 0.). (2002-06-26)

Scheduled Hearing Date: 2002-08-05 (SEN APPROPRIATIONS)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Passed Assembly Floor 73-1, 5/23/02. Proponents believe this bill is necessary to provide law enforcement the tools to stop improper sewage discharges (recreation vessels). Support - CA Assoc. of Harbor Masters and Port Captains; CA Assoc. of Sanitation Agencies; Marina Recreation Assoc.; Northern CA Marine Assoc.; Western Boaters Safety Group.

Digest Summary: Existing law requires every peace officer of the state and of any city, county, or other public agency, all state and local public health officers, and all boating law enforcement officers to enforce certain provisions relating to vessel sanitation and any regulations adopted pursuant to those provisions.

This bill would authorize *a state or local peace officer who reasonably suspects that a vessel is discharging sewage in an area where the discharge is prohibited to board* the vessel for the purpose of inspecting the marine sanitation device for proper operation and placing dye tablets into the holding tank .

AB 2401 (2001-2002) , Thomson: SEN NATURAL RESOURCES AND WILDLIFE (Version (amended asm) 2002-05-23)

Topic: Public resources: grants: state park land acquisition.

Last Action: Do pass as amended, and re-refer to the Committee on Appropriations. (2002-06-25)

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Notes: **Bill_Folder**

Passed Assembly Floor 51-28, 5/30/02. Proponents believe this bill will ease the burden on DPR's acquisition process. The State Parks Foundation (Sponsor) states that 90% of DPR's land acquisitions are over \$500,000 and require a public hearing (at \$5000/hearing). This bill will increase the minimum threshold to \$5,000,000 to require a hearing. Proponents also believe that by offering grants to non-profits, the state will get more value for its dollar. Support: CA Assoc. of Nonprofits; CA State Park Rangers Assoc.; The Nature Conservancy. Oppose: The Regional Council of Rural Counties. Opponents believe that "Rural counties are often surprised when land is removed from the property tax base and even more concerned by the loss of jobs and social impacts to it communities when working landscapes are converted to state parks?."

Digest Summary: This bill would increase the threshold amount specified above to \$5,000,000.

AB 2971 (2001-2002) , Strom: SEN APPROPRIATIONS (Version (amended sen) 2002-06-19)

Topic: Wastewater treatment plants: definition.

Last Action: Read second time, amended, and re-referred to Com. on APPR. (2002-06-19)

Scheduled Hearing Date: 2002-08-05 (SEN APPROPRIATIONS)

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Notes: **Bill_Folder**

Passed Assembly Floor 51-21, 5/20/02; Senate Environmental Quality 6-0. 6/17/02.
Sponsor: State Water Resources Control Board. This bill would certify approximately 275 unregulated operators of private wastewater facilities by June 30, 2007, and charge an administrative fee (e.g. \$200) to cover the cost of inspections. The purpose of this bill is to ensure that operators of privately-owned sewage treatment plants are properly trained and have the experience to prevent accidents by requiring that they obtain the same certificates of competency that operators of other sewage treatment plants are required to obtain. No support/opposition on file. The Assembly NO votes represent a partisan vote, and could be interpreted as opposition to government intervention

Digest Summary: (1) Under the Porter-Colgne Water Quality Control Act, the State Water Resources Control Board is required to classify types of wastewater treatment plants, as defined, for purposes of determining the levels of competence necessary to operate the plants.

This bill would revise the definition of wastewater treatment plants for these purposes by including within that definition private and governmental facilities used in the treatment or reclamation of sewage or industrial waste, rather than sewage and industrial waste, and any privately owned facility, without requiring that it is regulated by the Public Utilities Commission, used primarily in the treatment or reclamation of sewage for which the state board or a regional quality control board has issued waste discharge requirements.

ACA 8 (2001-2002) , Keeley and Wayne: ASM (Version (amended sen) 2001-09-14)

Topic: California Water and Land Protection Trust Fund.

Last Action: To inactive file on motion of Assembly Member Keeley. (2002-01-14)

Anticipated File: ASM INACTIVE FILE (Item # A- 21) (2002-07-15)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Passed Assembly Floor 58-10, last year on 6/28/01. Author placed bill on Inactive file in January 02. Proponents believe that this bill would provide a permanent, dependable funding source for long term plans protecting CA's water and land quality. Opponents believe that this initiative is not the best way for the state to capitalize its money when endeavoring to preserve open space. It would also create an unnecessary, costly funding mechanism. Costs - potentially major, one-time costs - about \$800 million in principal would be necessary to generate \$50 million - cost of about \$200,000 to place this measure on the ballot.

Digest Summary: Existing law contains various provisions relating to the protection of natural resources.

SB 1653 (2001-2002) , Costa: ASM WATER, PARKS AND WILDLIFE (Version (amended sen) 2002-05-28)

Topic: California Bay-Delta Act.

Last Action: Joint Rule 61(b) suspended. (2002-06-27)

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Passed Senate Floor 22-10, 6/10. This bill is similar to SB 1839 (Machado), 2000, which would have established a formal governance entity for the CALFED Program; the bill failed. This bill is a continuance of SB 1839. The most controversial issue will be the makeup of the membership. The DPC's CALFED committee will participate and provide comment. The bill would require the new Commission to establish a public advisory committee. The advisory committee (1) may comply with the Federal Advisory Committee Act, (2) shall be geographically and topically balanced, and (3) shall review and make recommendations to the Commission. The advisory committee members may receive reimbursement for travel related expenses incurred in the performance of committee duties. Sponsor: CALFED. Support: East Bay Municipal Utility District, City and County of San Francisco, City of Los Angeles, Southern California Water Committee, California Municipal Utilities Association, Contra Costa Water District. OPPOSITION: Regional Council of Rural Counties. The author will be resuming meetings with all interested participants at the end of July or early August, to establish and agree upon the governance structure.

Digest Summary: Under existing law, certain state and federal agencies with management and regulatory responsibilities in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary participate in the CALFED Bay-Delta Program for the purposes of improving ecosystem quality, water supply reliability, water quality, and the integrity of the levees and channels in the bay-delta. This bill would enact the California Bay-Delta Act.

SB 1710 (2001-2002) , Costa: SEN AGRICULTURE AND WATER RESOURCES (Version (amended sen) 2002-06-05)

Topic: Safe, Clean, and Reliable Water Supply Bond Act of 2002.

Last Action: From committee with author's amendments. Read second time. Amended. Re-referred to committee. (2002-06-05)

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**Note
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This bill, as well as all other Water Bond measures, are being held in committee, and there is no intent to move the bills. Support: CA Chamber of Commerce; CA Municipal Utilities Assoc.; Contra Costa Water District; Northern CA Water Assoc. Opposition: Regional Council of Rural Counties.

Digest Summary: Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs.

This bill would enact the Safe, Clean, and Reliable Water Supply Bond Act of 2002 which, if adopted, would authorize, for purposes of financing a *water quality and water supply infrastructure improvement* program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,962,000,000 .

SB 1854 (2001-2002) , Machado: ASM (Version (amended asm) 2002-06-30)

Topic: Sacramento-San Joaquin Delta Conservancy Program.

Last Action: Read second time. Amended. Re-referred to Com. on APPR. (2002-06-30)

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**Note
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Passed Senate Floor 21-11, 5/29/02. The bill would require the conservancy to consult

with the Delta Protection Commission, and concerned public and private entities in the implementation of the long-term management plan to ensure that there is community support for approved projects. According to the author's office, the creation of the program will provide a voice to locals and serve as a framework for local, state and private entities to come together to establish a coordinated plan for the Sacramento-San Joaquin Delta. Estimated cost to the State Coastal Conservancy Fund of \$75,000 in 2002-03, \$150,000 in 2003-04, and \$600,000 in 2004-05. Support: Sierra Club, City of West Sacramento. Oppose: CA Flood Control Association.

Digest Summary:Existing law authorizes the State Coastal Conservancy to acquire, manage, direct the management of, and conserve specified coastal lands and wetlands in the state.

This bill would establish the Sacramento-San Joaquin Delta Conservancy Program, to be administered by the conservancy, for the purpose of restoring, enhancing, and protecting the unique agricultural, economic, natural, cultural, recreational, public access, and urban waterfront resources and opportunities of the Sacramento-San Joaquin Delta, as defined, in a coordinated, comprehensive, and effective manner, as prescribed.

SB 1864 (2001-2002) , Costa: ASM (Version (amended sen) 2002-04-09)

Topic: Agricultural land conservation.

Last Action: From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 13. Noes 0.) Re-referred to Com. on APPR. (2002-06-27)

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Passed Senate Floor 39-0, 5/8/02; Assembly Ag. Com. 13-0, 6/26/02. Sponsor: Dept. of Conservation. Support: American Farmland Trust. Proponents believe that this bill will improve the DOC's administrative procedures and reduce unnecessary burdens on grant applicants - cuts red tape.

Digest Summary:(1) The Williamson Act, until January 1, 2003, to facilitate a lot line adjustment, authorizes parties to mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts covering the adjustment if the board or council makes specified findings.

This bill would extend the termination date of those provisions to January 1, 2004.

SB 2089 (2001-2002) , Committee on Natural Resources: ASM WATER, PARKS AND WILDLIFE (Version (introduced) 2002-03-04)

Topic: Harbors: Department of Boating and Waterways: reports.

Last Action: To Com. on W.,P. & W. (2002-06-10)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Passed Senate Floor 39-0 on consent, 5/8/02. No support or opposition on file.

Digest Summary:Existing law requires the Director of Boating and Waterways to make a report to the Boating and Waterways Commission, the Legislature, and the Governor covering the operations of the Department of Boating and Waterways for the preceding biennium.

This bill would require the report to include a description of the department's projects relating to non-native invasive species.

SBX3 9 (2001-2002) , Costa: SEN (Version (introduced) 2002-02-21)

Topic: ____ Bond Act of 2002.

Last Action: From committee without further action. (2002-05-02)

Folder(s): Bill_Folder

Digest Summary:Under existing law, various bond acts have been approved by the voters to provide funds for

water projects, facilities, and programs.

This bill would enact the ____ Bond Act of 2002 which, if adopted, would authorize, for purposes of financing a ____ program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$ ____.

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Inactive Bills

19 bills in folder.

AB 107 (2001-2002) , Nation: SEN JUDICIARY (Version (amended sen) 2002-05-28)

Topic: Vessels: wrecks and wrecked property; ballast water.

Last Action: In committee: Set, first hearing. Hearing canceled at the request of author. (2002-06-11)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This bill passed the Assembly 48-21, 4/23/01. It was amended in May to reflect the concerns of a 'live-aboard' community in Sausalito. DB&W had an approved support position in June of last year; no position on the amendments. Set in Senate Judiciary Com. 6/11; author dropped bill due to opposition.

Digest Summary:(1) Existing law provides that if any person claims a wrecked vessel within 90 days after it is found, the judge is required to make an order directing the officer in whose possession the property or its proceeds may be, to deliver it to the claimant, as specified.
This bill would reduce that period to 45 days.

AB 924 (2001-2002) , Wayne: SEN LOCAL GOVERNMENT (Version (amended sen) 2001-07-11)

Topic: Land use: Cooperative general plans.

Last Action: In committee: Set, second hearing. Hearing canceled at the request of author. (2001-07-16)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Passed Assembly 45-28, June 2001; amended July 2001. 'Smart Growth' issue - will probably not move forward.

Digest Summary:The Planning and Zoning Law requires the Office of Planning and Research within the Governor's office to serve as the state's comprehensive planning agency in the formulation, evaluation, and updating of, among other things, long range goals and policies for land use, population growth and distribution, urban expansion, development, open space, resource preservation and utilization, air and water quality, and other factors that shape statewide development patterns and significantly influence the quality of the state environment .
This bill would *declare the intent of the Legislature to facilitate cooperative planning through incentives and rational growth principles, as specified* .

AB 1398 (2001-2002) , Florez: SEN PUBLIC SAFETY (Version (amended sen) 2002-06-24)

Topic: Vehicles: fines.

Last Action: In committee: Hearing postponed by committee. (2002-07-01)

Scheduled Hearing Date: 2002-08-06 (SEN PUBLIC SAFETY)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This bill has been on the Senate Appropriations' Suspense file since August 2001. Author advises that due to high costs(\$250,000 in fiscal year 2001-02, to WCB to develop the grant program and potential costs of \$2 million in FY 2002-03), the bill will be dropped or amended to address health issues.

Digest Summary:This bill would require a person convicted either of reckless driving, driving under the influence, or driving under the influence causing injury to pay an additional assessment of \$500 if the county where the violation takes place has established an Emergency Medical Services Fund.

AB 2290 (2001-2002) , Kehoe: ASM (Version (amended asm) 2002-05-23)

Topic: California Environmental Quality Act.

Last Action: (Corrected May 31.) (2002-06-04)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Dead. Failed Assembly Floor 33-33, 5/30/02. Sponsor: The CA Native Plant Society.

Digest Summary:(1) The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would *add a statement of legislative intent regarding the protection of wetlands to CEQA. The bill would specify that, for the purposes of CEQA, any project that may have a substantial adverse impact on a wetland or special aquatic site, as defined, is a project that may have a significant effect on the environment.*

AB 2341 (2001-2002) , Thomson: ASM APPROPRIATIONS (Version (introduced) 2002-02-21)

Topic: Conservation.

Last Action: In committee: Set, second hearing. Held under submission. (2002-05-22)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Died in Appropriations Committee, on Suspense File.

Digest Summary:The California Farmland Conservancy program provides for grants from the Department of Conservation to local governments and nonprofit organizations, subject to prescribed requirements and in accordance with prescribed procedures, for the acquisition of agricultural conservation easements, as defined. This bill would appropriate \$55,700,000 from the General Fund to the Controller.

AB 2445 (2001-2002) , Canciamilla: ASM (Version (introduced) 2002-02-21)

Topic: San Francisco Bay/Sacramento-San Joaquin Delta.

Last Action: From printer. May be heard in committee March 24. (2002-02-22)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This bill was not heard or scheduled for a policy committee. Dead.

Digest Summary:Under existing law, the State Water Resources Control Board and the California regional water quality control board prescribe water quality standards for water bodies in the state, including the San Francisco Bay/Sacramento-San Joaquin Delta.

This bill would declare that it is the intent of the Legislature to enact subsequent legislation to require the state board to prepare, and submit to the Legislature, a report with regard to the water quality standards for the delta.

AB 2605 (2001-2002) , Aanestad: ASM APPROPRIATIONS (Version (introduced) 2002-02-21)

Topic: Endangered species: designation: economic or social impacts.

Last Action: In committee: Set, second hearing. Held under submission. (2002-05-22)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Dead.

Digest Summary:(1) Existing law requires the Department of Fish and Game to recommend, and the Fish and Game Commission to adopt, criteria for determining if a species is endangered or threatened.

This bill would require the recommended and adopted criteria to include guidelines for determining the weight to be accorded any social or economic impacts that may result from adding a species to, or deleting a species from, either the list of endangered species or the list of threatened species.

AB 2806 (2001-2002) , Wayne: ASM APPROPRIATIONS (Version (amended asm) 2002-04-11)

Topic: Watershed management: strategic plan.

Last Action: In committee: Set, second hearing. Held under submission. (2002-05-22)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Bill held in committee. This bill is a follow up to last year's AB 735 (Wayne) which required the Resources Agency and CalEPA to establish three watershed protection pilot projects and an evaluation.

Digest Summary: Under existing law, various state agencies are responsible for administering programs that provide technical assistance and financial support for various aspects of watershed management and restoration, including water quality protection, fishery restoration, water management, flood management, open-space planning, and forestland management.

This bill would require the Resources Agency and Cal-EPA to develop *on or before* January 1, 2004, a strategic plan, as specified, to guide state agency watershed management partnerships in California.

AB 2843 (2001-2002) , Thomson: ASM (Version (amended asm) 2002-05-23)

Topic: Local agency formation.

Last Action: Read third time, passage refused. (Ayes 27. Noes 35. Page 6649.) (2002-05-30)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Failed on Assembly Floor 27-35, 5/30/02.

Digest Summary: (1) The existing Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 prescribes procedures for the approval of proposals for organization or reorganization of local agencies.

This bill would *state the intent of the Legislature that each commission consider changes of organization and reorganization that include an annexation, only upon a finding based on substantial evidence that the receiving entity has exhausted all means and opportunity to develop land within its existing boundaries.*

AB 2860 (2001-2002) , Aanestad: ASM WATER, PARKS AND WILDLIFE (Version (amended asm) 2002-04-15)

Topic: Wildlife.

Last Action: Joint Rule 61(b)(5) suspended. (W.,P. & W.) (2002-05-02)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This bill failed Assb. Water, Parks and Wildlife 7-8, on 4/23/02. The author did not request reconsideration; bill DEAD.

Digest Summary: Under the Wildlife Conservation Law of 1947, the Wildlife Conservation Board may authorize the Department of Fish and Game to acquire real property for the benefit of wildlife.

This bill would *require the board to establish an administrative process that allows property owners and local jurisdictions to seek redress for any (a) failure of the board, the department, or any nonprofit entity to maintain real property in accordance with any agreement entered into by those entities under existing law; (b) impacts to any lands adjoining property acquired under existing law caused by that failure; and (c) failure of the board or the department to make subvention payments to local jurisdictions as required under existing law .*

AB 2877 (2001-2002) , Wayne: ASM WATER, PARKS AND WILDLIFE (Version (amended asm) 2002-04-30)

Topic: State Water Resources Control Board: groundwater report.

Last Action: Re-referred to Com. on W., P. & W. (2002-05-06)

Folder(s): Bill_Folder

Notes: Bill_Folder

Failed Assb. Water, Parks & Wildlife 6-11, on 4/23/02. Reconsideration granted. No hearing date yet.

Digest Summary: Existing law declares that groundwater is a valuable natural resource in the state and should be managed to ensure its safe production and its quality.

This bill would require, on or before December 31, 2004, the board and the Department of Water Resources, jointly, and in consultation with local agencies and other interested parties, to conduct a study and to make recommendations to various committees of the Legislature, regarding groundwater management policy and *potential* legislation .

SB 196 (2001-2002) , Burton and Chesbro: ASM APPROPRIATIONS (Version (amended asm) 2001-09-06)

Topic: Parks coastal protection, land conservation, air pollution, and historic preservation: bond act.

Last Action: Joint Rule 61(a) (10) & (11) suspended. (2001-09-14)

Folder(s): Bill_Folder

Notes: Bill_Folder

Passed Senate Floor 28 -3. Placed on InActive file by author on 1/14/02.

Digest Summary: Parks coastal protection, land conservation, air pollution, and historic preservation: bond act.

This bill would enact the California Resources Legacy Bond Act of 2002, which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation, and interpretation of park, coastal protection, agricultural land preservation, air pollution prevention, and historical resources, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,998,000,000.

SB 550 (2001-2002) , Costa: (Version (chaptered) 2002-04-26)

Topic: Endangered species.

Last Action: Chaptered by Secretary of State. Chapter 32, Statutes of 2002. (2002-04-26)

Folder(s): Bill_Folder

Notes: Bill_Folder

Passed Senate Floor 33-0; Assembly Floor 65-3. CHAPTERED.

Digest Summary: Under existing law, until December 31, 2002, the accidental take of candidate, threatened, or endangered species resulting from inadvertent or ordinary negligent acts on a farm or ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the California Endangered Species Act.

This bill would delete the requirement that the acts be inadvertent or ordinary negligent acts in order for the exception to apply.

SB 1616 (2001-2002) , Machado: SEN JUDICIARY (Version (introduced) 2002-02-21)

Topic: Eminent domain: agricultural, open space, and conservation lands.

Last Action: Set, first hearing. Hearing canceled at the request of author. (2002-04-29)

Folder(s): Bill_Folder

Notes: Bill_Folder

Not set.

Digest Summary:The Eminent Domain Law provides that the power of eminent domain may be exercised only to acquire property for a public use, and that this power may only be exercised by a person so authorized by statute. This bill would prohibit taking by eminent domain property that is dedicated or restricted to agricultural, open space, or conservation, as defined, unless the public entity makes a specified finding, supported by substantial evidence in the record.

SB 1947 (2001-2002) , Alpert: SEN (Version (introduced) 2002-02-22)

Topic: Wildlife Conservation Board.

Last Action: To Com. on RLS. (2002-03-12)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Author office advises this is a 'spot' bill; no current intention to move.

Digest Summary:The existing Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board in the Department of Fish and Game.

This bill would express the intent of the Legislature to enact a statute that would expand the purposes of the board and change the membership of the board, as specified.

SB 2054 (2001-2002) , Sher: SEN LOCAL GOVERNMENT (Version (amended sen) 2002-04-29)

Topic: Land use: development fees.

Last Action: From committee with author's amendments. Read second time. Amended. Re-referred to committee. (2002-04-29)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Failed in Senate Local Government Committee 3-3, on 5/1/02. The bill proposes minor clarifying changes to the nexus standards for charging developer fees. It would require local officials to challenge those who want to cut densities to think about the fiscal and physical consequences of their requests.

Digest Summary:This bill would provide instead that the identification of the public facilities may be made in an applicable general or specific plan.

SB 2056 (2001-2002) , O'Connell: SEN (Version (introduced) 2002-02-22)

Topic: Environmental quality.

Last Action: To Com. on RLS. (2002-03-12)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This is a spot bill. Author advises it may not move forward as currently written, but rather amended for local issues.

Digest Summary:The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would make technical, nonsubstantive changes to that definition.

SB 2068 (2001-2002) , Johannessen: SEN (Version (introduced) 2002-02-22)

Topic: CALFED Bay-Delta Program: reporting.

Last Action: To Com. on RLS. (2002-03-12)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

Spot bill.

Digest Summary:Existing law requires the Secretary of the Resources Agency to submit to the Legislature a report containing specified topics and items regarding the CALFED Bay-Delta Program, by no later than December 15 of each year.

The bill would make clarifying, nonsubstantive changes to this provision.

SCR 74 (2001-2002) , Machado: (Version (chaptered) 2002-06-24)

Topic: Food and agriculture.

Last Action: Chaptered by Secretary of State. Res. Chapter 86, Statutes of 2002. (2002-06-24)

Folder(s): Bill_Folder

Notes: **Bill_Folder**

This Resolution passed the Senate Floor 36-0, 6/20/02, and was chaptered.

Digest Summary:This measure would recognize and honor the men and women of California who have contributed to the excellence of the agricultural industry, and would recognize that many steps are taken and millions of people are involved in the delivery of safe food and agricultural products to consumers everyday.